

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

OP.No. 20023 of 2002(H)

PETITIONER:

1. G.ANITHA PRAKASH, PROPRIETRIX,
LIFE-LANE SATELLITE SYSTEMS, CHEKKALAVILAKOM
JUNCTION, KADAKKAVOOR, THIRUVANANTHAPURAM.
2. SAIJU ANIRUDH, PROPRIETOR,
MOON STAR SATELLITE NETWORK, VAKKOM, KADAKKAVOOR.
3. CHRISTUDAS F., PROPRIETOR,
TOMIN VIDEOS AND CABLE NETWORK, ANJENGO,
KADAKKAVOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS:

1. THE DEPUTY CHIEF ENGINEER,
K.S.E.B., ELECTRICAL CIRCLE, THIRUVANANTHAPURAM.
2. ASSISTANT EXECUTIVE ENGINEER,
K.S.E.B., ELECTRICAL MAJOR SECTION, KADAKKAVOOR,
THIRUVANANTHAPURAM.
3. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, K.S.E.B., VAKKOM.

BY ADV. SRI.C.C.THOMAS, SC, K.S.E.B
SRI.P.SANTHALINGAM, SC, KSEB
SRI.C.K.KARUNAKARAN, SC FOR KSEB

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

O.P.20023/2002

ORDER ON CMP.NO.34373/2002

DISMISSED

SD/-
K.BALAKRISHNAN NAIR, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

- EXT.P1- TRUE COPY OF CABLE T.V. REGISTRATION CERTIFICATE
DATED 26.12.01
- EXT.P1(a)- TRUE COPY OF CABLE T.V. REGISTRATION CERTIFICATE
DATED 25.10.99
- EXT.P1(b)- TRUE COPY OF CABLE T.V. REGISTRATION CERTIFICATE
DATED 4.11.2000
- EXT.P2- TRUE COPY OF THE LETTER DATED 9.4.02 ISSUED TO THE 1ST
PETITIONER BY THE 2ND RESPONDENT
- EXT.P3- TRUE COPY OF REPRESENTATION DATED 12.4.02 FILED BY
THE 1ST PETITIONER BEFORE TE 2ND RESPONDENT
- EXT.P4- TRUE COPY OF JUDGMENT DATED 26.4.02 IN O.P.11164/02
- EXT.P5- TRUE COPY OF REPRESENTATION DATED 3.7.02 FILED BY THE
1ST PETITIONER BEFORE THE 1ST RESPONDENT.
- EXT.P5(a)- TRUE COPY OF REPRESENTATION DATED 3.7.02 FILED BY THE
2ND PETITIONER BEFORE THE 1ST RESPONDENT
- EXT.P6- TRUE COPY OF LETTER NO.DB40/2002-03/104 DATED 11.7.2002
ISSUED BY THE 2ND RESPONDENT TO 1ST PETITIONER.
- EXT.P6(a)- TRUE COPY OF LETTER NO.DB40/2002-03/105 DATED 11.7.2002
ISSUED BY THE 2ND RESPONDENT TO THIRD PETITIONER

(TRUE COPY)

P.S TO JUDGE

K.BALAKRISHNAN NAIR, J.

O.P. NO.20023 OF 2002-H

JUDGMENT

The petitioners have approached this Court, when they were called upon to remove the cable lines drew by them through the poles of the K.S.E.B. Admittedly, the cables were drawn without the permission of the K.S.E.B. Therefore, I find nothing illegal with the action taken by the officials of the K.S.E.B. Accordingly, the Original Petition is dismissed. It is made clear that the K.S.E.B will be entitled to get rent for the periods the petitioners used its posts, on the strength of the interim order of this Court, at the rate applicable from time to time.

8th February, 2007.

K.BALAKRISHNAN NAIR, JUDGE.

Nm/

K.BALAKRISHNAN NAIR, J.

O.P. NO.20023/2002-H

JUDGMENT

8.2.2007